

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWIN FUJINAGA,

Defendant.

Case No.: 2:15-cr-00198-GMN-NJK

ORDER

Pending before the Court is Defendant Edwin Fujinaga's ("Defendant's") Motion to Amend Scheduling Order, (ECF No. 92). The Government filed a Response, (ECF No. 95), and Defendant filed a Reply, (ECF No. 98).

In Defendant's Motion, he requests that the Court set new deadlines in light of the Government's witness depositions. (Mot. Am. Scheduling Order 1:18–20, ECF No. 92). Specifically, Defendant seeks to advance all remaining deadlines by twenty days. (*Id.* 1:20–21). Defendant additionally moves to preclude the Government from amending its disclosures following the completion of the first deposition. (*Id.* 1:22–24).

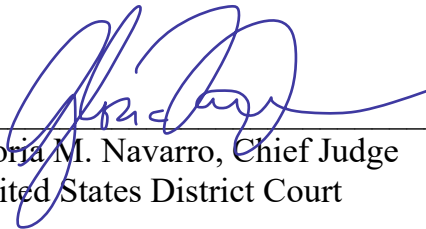
The Court finds that Defendant's request to expedite the trial schedule is unsupported. Defendant does not present any legal basis to persuade the Court that the trial date should be adjusted for the purposes of providing Defendant with the Government's: Federal Rule of Evidence 1006 summaries, final exhibit and witness lists, trial brief, proposed voir dire, and proposed jury instructions prior to the depositions. Further, "the Government has already agreed to provide the Defendant with any *Jencks* materials for the victims to be deposed, any potential exhibits that the Government intends to show these victims, and an initial draft of the Government's exhibit and witness lists." (Resp. 9:24–10:3, ECF No. 95); (*see* Mot. Am. Scheduling Order 4:25–26). Based on the parties' representations, Defendant will receive the

1 necessary documents to adequately prepare for the depositions, and thus, his constitutional right
2 to “a meaningful opportunity to present a complete defense” is not threatened by the current
3 trial schedule. *California v. Trombetta*, 467 U.S. 479, 485, 104 S. Ct. 2528, 2532, 81 L. Ed. 2d
4 413 (1984).

5 Accordingly,

6 **IT IS HEREBY ORDERED** that Defendant’s Motion to Amend Scheduling Order,
7 (ECF No. 92), is **DENIED**.

8 **DATED** this 18 day of September, 2018.

9
10
11 
12 _____
13 Gloria M. Navarro, Chief Judge
14 United States District Court
15
16
17
18
19
20
21
22
23
24
25